

## **Minneapolis City Planning Department Report**

2 Conditional Use Permits, Floor Area Ratio Variance, Major Site Plan Review, and Preliminary Plat  
BZZ-1092 (Parking Ramp)

**Date:** April 14, 2003

**Applicant:** Joe Dowling, The Guthrie Theater Foundation

**Address of Property:** 802, 812 and 900 Second Street South

**Project Name:** City of Minneapolis Parcel E Parking Facility

**Date Application Deemed Complete:** March 19, 2003

**End of 60 Day Decision Period:** May 18, 2003

**End of 120 Day Decision Period:** Not applicable

**Applicant has Waived 60 Day Requirement:** No

**Contact Person and Phone:** Rebecca Rom, Faegre & Benson, LLP, (612) 766-7231

**Planning Staff and Phone:** Jack Byers (612) 673-2634 and Hilary Watson (612) 673-2639

**Ward:** 2      **Neighborhood Organization:** Downtown Minneapolis Neighborhood Association

**Existing Zoning:** C3A with the Downtown Parking and Downtown Height Overlays

**Proposed Use:** Parking Facility

### **Concurrent Review**

- **Conditional Use Permit:** for a parking facility
- **Major Site Plan Review**
- **Conditional Use Permit:** to allow 24-hour operations
- **Variance:** to increase the maximum allowed floor area ratio from 2.7 to 5.0
- **Preliminary Plat**

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**Previous Actions and Presentations:**

- May 25, 2000: Planning Commission invited to attend and participate in Public Open House to review preliminary work on the *Update to the Historic Mills District Master Plan* (including Design Goals for the new Guthrie Theater complex.)
- July 13, 2000: Preliminary presentation of goals for the new Guthrie Theatre and the *Update to the Historic Mills District Master Plan* by Planning Staff and MCDA staff to City Planning Commission Committee of the Whole.
- July 27, 2000: Preliminary presentation of parking issues and proposals related to the new Guthrie Theatre and the *Update to the Historic Mills District Master Plan* by Planning Staff and MCDA staff to Planning Commission/Committee of the Whole.
- July/August 2000: Preliminary presentation of goals for the new Guthrie Theatre and the *Update to the Historic Mills District Master Plan* by Planning Staff and MCDA staff to the following organizations: The Minneapolis Heritage Preservation Commission, The Minneapolis Park and Recreation Board, The Minneapolis City Council Committee of the Whole, The Industry Square Project Committee, The Metropolitan Sports Facilities Commission, The Hennepin County Board, The St. Anthony Falls Heritage Board, The Mississippi River Technical Advisory Committee.
- August 10, 2000: Presentation of proposed “Design Goals” for the new Guthrie Theatre by Planning Staff and MCDA staff to Planning Commission Committee of the Whole.
- April 19, 2001: Progress report on the Guthrie Theatre project from Planning Staff and MCDA Staff.
- April 30, 2001: City Planning Commission approval for rezoning of parcels in I-1 district to C3A in order to achieve contiguous zoning district. City Planning Commission approval of vacation of Tenth Avenue right-of-way between West River Road and South 2<sup>nd</sup> Street to attain contiguous parcel.
- May 2001: Approval for rezoning of parcels in I-1 district to C3A by Zoning and Planning Committee and subsequently by the Full City Council.
- June 19, 2001: Heritage Preservation Commission reviews the draft *Update to the Historic Mills District Master Plan* during the 45-day review period and subsequently recommends adoption by the City Planning Commission.
- July 2001: Approval for vacation of Tenth Avenue right-of-way by Zoning and Planning Committee and subsequently by the Full City Council.
- August 9, 2001: City Planning Commission/Committee of the Whole reviews comments registered in the 45-day review period for the *Update to the Historic Mills District Master Plan*. Committee recommends approval and forwards to the Planning Commission.
- August 20, 2001: City Planning Commission holds a public hearing and subsequently adopts the *Update to the Historic Mills District Master Plan* as a small area plan to be used in conjunction with *Downtown 2010*.

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- August 28, 2001: Zoning and Planning Committee of the Minneapolis City Council adopts the *Update to the Historic Mills District Master Plan* as a small area plan to be used in conjunction with *Downtown 2010*.
- September 14, 2001: Minneapolis City Council adopts the *Update to the Historic Mills District Master Plan* as a small area plan to be used in conjunction with *Downtown 2010*.
- December 13, 2001: Presentation to the Planning Commission/Committee of the Whole by Peter Kitchak of the Keewaydin Group on the works of Jean Nouvel.
- January 15, 2002: Presentation to the HPC by Peter Kitchak of the Keewaydin Group on the works of Jean Nouvel
- February 12, 2002: Presentation of proposed schematic design for the new Guthrie Theatre by the Guthrie to the DMNA
- February 14, 2002: Presentation of proposed schematic design for the new Guthrie Theatre by Planning Staff to Planning Commission Committee of the Whole.
- February 14, 2002: Presentation of proposed schematic design for the new Guthrie Theatre by the Guthrie to the Riverfront Technical Advisory Committee (TAC)
- February 19, 2002: Presentation of proposed schematic design for the new Guthrie Theatre by the Guthrie to the Minneapolis River Forum.
- March 13, 2002: Presentation of proposed schematic design for the new Guthrie Theatre by the Guthrie to the Industry Square Project Committee (ISPC)
- March 19, 2002: Presentation of proposed schematic design for the new Guthrie Theatre by the Guthrie to the HPC
- April 17, 2002: Presentation of proposed schematic design for the new Guthrie Theatre by the Guthrie to the Minneapolis Park and Recreation Board.
- June 11, 2002: Presentation of proposed schematic design for the new Guthrie Theatre by the Guthrie to the St. Anthony Falls Heritage Board
- June 13, 2002: Presentation of proposed schematic design for the new Guthrie Theatre by Planning Staff to Planning Commission Committee of the Whole.
- September 5, 2002: CPC approval of land purchase of Parcel E in the Historic Mills District (for construction of structured parking ramp). Subsequent CPC approval of sale of air rights parcel located approximately 31'-0" above grade over the northeast portion of Parcel E for construction of Guthrie scene shop.
- October 3, 2002: Presentation of proposed schematic design for the new Guthrie Theatre by Planning Staff to Planning Commission Committee of the Whole.
- November 21, 2003: Minneapolis City Council Committee of the Whole approves the renegotiated redevelopment contract (for smaller site). Subsequent full approval by the Minneapolis City Council.
- February 18, 2003: Heritage Preservation Commission Hearing: Concept Review
- February 28, 2003: Application for concurrent review by City Planning Commission.
- March 4, 2003: Presentation of proposed completed design to the DMNA Land Use Committee

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- March 11, 2003: DMNA Board action to recommend approval of requested actions by CPC
- March 12, 2003: Presentation of proposed completed design to the Industry Square Project Committee (ISPC)

**Background:**

The proposed development is located in the Downtown East neighborhood in the part of Downtown Minneapolis known as the Historic Mills District. The site is located in the northeast corner of the block bounded by South 2<sup>nd</sup> Street, the Ninth Avenue South Right-of-way, Washington Avenue South, and the Chicago Avenue Right-of-Way. This block is known as Parcel E in the Historic Mills District. Construction of extensions to both Ninth Avenue South and Chicago Avenue between Washington Avenue and South 2<sup>nd</sup> Street are intended as part of the overall revitalization of the Mills District. Planning Commission review of street extensions is not part of this application and will be brought forward to the Planning Commission and the City Council as appropriate (Please see the attached location map).

The application for the City of Minneapolis Parcel E Parking Facility includes a one-thousand-and-two (1,002) stall parking structure that will be built by the Guthrie Theater on behalf of the City of Minneapolis and operated by the City of Minneapolis. This structure would accommodate 377 cars below grade and 625 cars above-grade. The proposed parking ramp is designed to incorporate an air rights development parcel for the Guthrie scene shop. The scene shop for the Guthrie Theater is located approximately 24-feet above grade on the northern most portion of the third floor of the parking ramp. It is accessible to the backstage area of the Theater Block by a non-public, service-only production link/skyway. (The application for the scene shop is included within the application for the theater facility).

The ramp is designed so that parking floors are parallel to the ground plane on both street elevations. Parking ramp will be designed to allow for future incorporation of underground parking for liner development parcels along Chicago Avenue and Washington Avenue (see below).

A one-bay loading facility to serve the scene shop above is located on the northern most portion of the ground floor of the parking ramp. Loading facility is accessed from the proposed extension of Ninth Avenue South.

Two new “liner” development projects are intended on the west and south sides of Parcel E to “wrap” two sides of the ramp with active commercial and/or residential uses, thereby screening two sides of the ramp (see below).

The functional design of the parking ramp was undertaken by Walker Parking of Minneapolis. The conceptual design for the new Guthrie Theater complex was undertaken by the Atelier Jean Nouvel in

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Paris, France. The local partner for the architectural design of the project is Architectural Alliance of Minneapolis. The design team played an integral role in the designing the scene shop, the production link, and the parking ramp so that they read as integral components of the Theater complex (as opposed to looking like “back lot” functions).

Associated development in Parcel E (not part of this application):

Two new “liner” development projects are intended on the west and south sides of Parcel E to “warp” two sides of the ramp with active uses, thereby screening two sides of the ramp (see below).

- “Liner” development facing the length of the proposed extension of Chicago Avenue between Washington Avenue South, South 2<sup>nd</sup> Street. New development is programmed to include a combination of new residential and commercial spaces. In keeping with the *Update to the Historic Mills District Master Plan*, the architectural design for all ground floor spaces will be designed in such a way to accommodate retail enterprises. However, until such time that the market calls for viable retail along Chicago Avenue, these spaces could be leased or sold as live/work residential units. Liner projects will *not* be included in the Guthrie project, though sufficient space will be left on Parcel E for later development by other parties. Liner parcel is proposed to be 64-feet deep and could have underground parking that is accessible from within the adjacent Parcel E parking ramp.
- “Liner” development facing the length of Washington Avenue between the proposed extension of Chicago Avenue and the proposed extension of Ninth Avenue South. New development is programmed to include a combination of new residential and commercial spaces. In keeping with the *Update to the Historic Mills District master Plan*, the architectural design for all ground floor spaces will be designed in such a way to accommodate retail enterprises. However, until such time that the market calls for viable retail along Washington Avenue, these spaces could be leased or sold as live/work residential units. Liner projects will *not* be included in the Guthrie project, though sufficient space will be left on Parcel E for later development by other parties. Liner parcel is proposed to be 64-feet deep and could have underground parking that is accessible from within the adjacent Parcel E parking ramp.

**Intended Project Schedule:**

April/May 2003:	All required pre-construction approvals granted
May 2003:	Anticipated State approval of grant in 2003 legislative session (ends late May)
June 2003:	Guthrie buys MCDA-owned parcel on north side of South 2 <sup>nd</sup> Street McGough begins construction of Theater block
January/Feb. 2004:	City acquires HCRRA parcel (Parcel E) McGough begins construction of parking ramp/scene shop

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Spring/Summer 2005: Construction of Ninth Avenue South (Chicago Ave. extension to be built in conjunction with Parcel D in the summer of 2004 or 2005; must be done by time Guthrie opens)

Fall 2005 Theater, scene shop, and parking ramp fundamentally complete.

Winter 2006 Guthrie occupies theater building and scene shop. Commissioning of theater.

May 7, 2006 Theater opens to public.

Spring 2006: Curtain rise on first show in the new Theater complex

**Neighborhood Review:**

The applicant has met with the Downtown Minneapolis Neighborhood Association (DMNA). In a letter dated March 10, 2003, from Christie Rock, DMNA Coordinator, the neighborhood supports the project.

The site for the Guthrie Theater Complex is located in the Downtown East neighborhood of the Central Community. Because there has been almost no resident population in this part of the city for decades, there is no chartered neighborhood group specifically for Downtown East. However, in recent years, new residents in this part of Downtown have been invited to meetings of the Downtown Minneapolis Neighborhood Association (DMNA) which is the charter neighborhood group for Downtown East.

- The applicant has met with the Downtown Minneapolis Neighborhood Association (DMNA). In a letter dated March 10, 2003, from Christie Rock, DMNA Coordinator, the neighborhood supports the project. See Appendix C.

The Industry Square Project Committee (ISPC) was established by the MCDA in 1973 as the advisory committee for the Industry Square Redevelopment Project. This group currently includes 21 members representing neighborhood residents, businesses and property owners within the Industry Square area, plus a mailing list of other interested persons. Most of Downtown East and a small portion of Downtown West is included within the Industry Square area as designated by the MCDA Board of Commissioners.

- The applicant presented the project to the Industry Square Project Committee (ISPC) on March 13, 2002. In a letter dated April 2, 2003, from Tom Daniel, MCDA, Committee Coordinator, the ISPC indicated their support of the project. See Appendix D.

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**CONDITIONAL USE PERMIT – for a parking facility**

**Findings as Required by the Minneapolis Zoning Code for the Conditional Use Permit for the Use:**

The Minneapolis City Planning Department has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

**1. Will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The Planning Department does not believe that an parking facility should be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

**2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

A one-thousand and two (1,002) stall parking structure built by the Guthrie Theater for the City of Minneapolis and operated by the City of Minneapolis is proposed on the northeast portion of the block. This structure would accommodate 377 cars below grade and 625 cars above-grade. The proposed parking ramp is designed to incorporate an air rights development parcel for the Guthrie scene shop, (under separate application #BZZ-1092 Guthrie Theater). It is also designed so that parking floors are parallel to the ground plane on both street elevations. Parking ramp will be designed to allow for future incorporation of underground parking for liner development parcels along Chicago Avenue and Washington Avenue.

In August of 2001, the *Update to the Historic Mills District Plan* was adopted by the City Planning Commission and subsequently by the full City Council as small area plan to be used in conjunction with Downtown 2010. The site for the new Guthrie Theatre is included within the geographic boundaries defined in the *Update to the Historic Mills District Plan*. The *Update Plan* was initiated in large part because the City Council and the Guthrie Theatre proposed the construction of a new theater facility on the Central Riverfront.

Until Atelier Jean Nouvel (JNA) proposed the schematic design for the Theater complex in February 2002, it was assumed that the complex would stretch along the West River Road over a site that was three city blocks long. Instead JNA's proposed a complex that is much more compact and much more "urban" in feel and character that what many had earlier expected. Because the proposed design straddles South 2<sup>nd</sup> Street, it more closely ties the project to the existing and intended fabric of

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Downtown. Likewise, the proposed design offered a better opportunity to integrate the functional and aesthetic design of the Parcel E parking ramp.

The Parcel E parking ramp is intended as a shared-use facility that will serve the employees and patrons of the Guthrie Theater as well as the residents and patrons of both existing and intended residential, commercial, and cultural uses within the Mills District. Planning staff believes that this parking ramp will help to will anchor the creation of a new mixed-use neighborhood of the Central Riverfront in a large swath of former industrial lands that have for many years been underutilized as surface parking lots. The Guthrie Theater project is at the very heart of the creation of a new cultural/recreational, residential, commercial neighborhood in this corner of Downtown Minneapolis. As such the project will encourage and strengthen the existing development in the neighborhood. More importantly, it will serve as a major catalyst for new development in both the Historic Mills District and in Downtown East more generally.

The Planning Department does not believe that a parking ramp should be injurious to the use and enjoyment of other properties in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

**3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The applicant has been and will continue to work closely with the Public Works Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

**4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

The applicant has been and will continue to work closely with the Public Works Department and the Planning Department to ensure that all pedestrian, bicycle, and vehicular traffic in and around the public right-of-way will be handled in the best way possible

For further analysis, please see the “Access And Circulation” section of Site Plan Review, below.

**5. Is consistent with the applicable policies of the comprehensive plan.**

The following is an analysis that includes a series of statements concerning how the construction of a new Guthrie Theatre along the Central Riverfront in Downtown Minneapolis complies with the City’s Comprehensive Plan.



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Compliance with *Minneapolis Downtown 2010*:

*Entertainment:* The new Guthrie Theatre is a significant contribution toward the stated goal of enhancing Downtown as “the region’s entertainment and cultural capital.” Specifically, the Guthrie Theatre is an addition that will “fill out the kind and number of attractions... in order to broaden [Downtown’s] appeal as an entertainment and shopping destination.” In accordance with the entertainment chapter of *Downtown 2010*, the new Guthrie Theatre will “Broaden downtown’s entertainment options to include additional family-oriented attractions that complement retail and that can be frequented with minimal preplanning.” In addition, the new theater will “Encourage restaurants in other areas of downtown [beyond the defined Entertainment District].”

*Education:* Because the Guthrie intends to include a major educational component in its programming, the construction of a new theater within Downtown reinforces the stated goal to “Encourage the growth of educational uses in order to complement other downtown functions and to enhance downtown as a cultural center.” In conjunction with the Park Board’s construction of the Mills Ruin Park and the Minnesota Historical Society’s Mill City Museum, the new Guthrie will “encourage educational and other public institutions to share resources and provide services effectively.”

*Management:* The construction of a new Guthrie Theatre within Downtown reinforces the stated goal to “Retain Downtown’s status as the symbolic center for the city and metropolitan area.”

*Downtown Physical Setting:* The theater is that it will serve as one of a number of catalysts for reconnecting Downtown with the Central Riverfront. Specifically, the theater will encourage completion of the following goal: “Improve physical and visual access to the riverfront: The riverfront is Downtown’s largest open space and cultural amenity. The riverfront includes the West River Parkway, Stone Arch Bridge and various historic mills and warehouses that represent the City’s past and economic roots. Currently, the large area of cleared land acts as a barrier between the riverfront and Downtown. The remoteness of the river can be alleviated as adjacent properties are developed by extending the street grid to the parkway to connect this important resource to the rest of Downtown.”

While the vehicular connections of Chicago Avenue and Ninth Avenue South to the West River Road have been discouraged and made difficult to implement because of Park Board objectives related to the West River Road the Park. However, the design of the proposed theater complex is much more compact and much more “urban” in feel and character than what many had earlier expected. Because the proposed design straddles South 2<sup>nd</sup> Street –as opposed to stretching down the river - it more closely ties the project to the existing and intended fabric of Downtown.

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Likewise, the proposed design of the project protects important view corridors to the River. While good pedestrian and bicycle access is intended from the city street grid to the river through the Chicago Avenue Plaza, significant improvements should be made to the same sort of connections through the private property in what would be the extension of the Ninth Avenue right-of-way.

Former issues of non-compliance with *Minneapolis Downtown 2010*:

*Minneapolis Downtown 2010* did not anticipate the construction of a theater in this part of Downtown Minneapolis and so – strictly speaking – the *location* of the new theater facility is not in compliance with the City’s comprehensive plan.

*Location outside of designated Entertainment District:* *Downtown 2010* designates “The area along Hennepin Avenue between 5th and 10th Streets and the Warehouse District as downtown’s Entertainment District.” It goes on to say that “Entertainment and specialty retail uses should be the primary uses at the street and skyway levels. This is especially true for uses that are unique to downtown and the region. Above the street and skyway levels, encourage office and hotel uses.”

*Location within a designated Residential District:* *Downtown 2010* states “Locate medium to high-density housing in areas designated as a Riverfront Residential District located adjacent to and near the West River Parkway. This district should provide locations for housing that can take advantage of the open space and recreational amenities of the riverfront.” However, *Downtown 2010* goes on to say that while the primary use of this district should be housing, “Other retail, office, cultural and recreational uses should be encouraged, especially those that revitalize historic structures, but should be compatible with housing.”

Overall Evaluation of Compliance with *Minneapolis Downtown 2010*:

Based on the policies noted above, the overall *intent* of the new theater facility (as well as the level and kind of proposed activities that will be generated by its presence) is in compliance with the goals of the City’s comprehensive plan.

In addition, the *Update to the Historic Mills District Plan* was initiated in large part because the Guthrie Theatre intends to move to the Central Riverfront. Once the Update was adopted by the Planning Commission and the City Council, the location of the Guthrie Theatre became – for all intents and purposes – a policy amendment to *Downtown 2010*.

Finally, both the Minneapolis City Planning Commission and the Minneapolis City Council have previously approved the rezoning of portions of the Guthrie parcel in order to create a single parcel with the C3A district. As such, any former issues concerning the location of the theater complex in relation

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to the City's Comprehensive Plan, have already been formally addressed and approved by Minneapolis City Planning Commission and the Minneapolis City Council.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located.**

In August of 2001, the *Update to the Historic Mills District Plan* was adopted by the City Planning Commission and subsequently by the full City Council as small area plan to be used in conjunction with Downtown 2010. The site for the new Guthrie Theatre is included within the geographic boundaries defined in the *Update to the Historic Mills District Plan*. (The *Update Plan* was initiated in large part because the City Council and the Guthrie Theatre proposed the construction of a new theater facility on the Central Riverfront.)

The *Update to the Historic Mills District Plan* was written in anticipation of the construction of the Guthrie Theatre of the Central Riverfront. The document put forth five "design Principles for the Guthrie Theater Complex." Those principles are as follows:

- Minimum Required Set Backs from public right-of-way (Figure 24): An element of the future design, not necessarily structural, should attempt to frame the view looking up Chicago Avenue to the river. The building's west façade should define the plaza so that in conjunction with the Washburn A Mill, the view to the river is adequately framed.
- Parking Access (Figure 25): Parking access is not permitted along West River Parkway and will not be possible on the Chicago Avenue side of the building if a plaza is built. Parking access is possible on 2<sup>nd</sup> Street South but must not create conflicts with pedestrian movements or create traffic jams.
- Primary Pedestrian Entry Points (Figure 26): The Plaza, 9<sup>th</sup> Avenue, and 10<sup>th</sup> Avenue. Note that additional secondary entry points elsewhere are acceptable.
- The site has four distinct addresses (Figure 27): Park (north), Urban (south), Service (east), and Plaza (west). The Park, Urban and Plaza addresses should complement adjacent uses by having active uses which are visible from the street.
- Pedestrian Access (Figure 28) must be accommodated along the entire perimeter of the site.

The "Design Goals" section of the *Update to the Historic Mills District Master Plan* is attached to this staff report as Appendix I.

For further analysis on compliance with the "Design Goals" section of the *Update to the Historic Mills District Master Plan*, please see the Site Plan Review, below.

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**RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the Conditional Use Permit application for parking facility located in the northeast portion of Parcel E at the intersection of South 2<sup>nd</sup> Street and the Ninth Avenue South right-of-way of subject to the following conditions:

1. Review and Approval of the Travel Demand Management Plan by Planning staff and Public Works staff

**CONDITIONAL USE PERMIT – to allow 24-hour operations**

**Findings as Required by the Minneapolis Zoning Code for the Conditional Use Permit for the Use:**

The Minneapolis City Planning Department has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

- 1. Will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The Parcel E parking ramp is intended as a shared-use facility that will serve the employees and patrons of the Guthrie Theater as well as the residents and patrons of both existing and intended residential, Commercial, and cultural uses within the Mills District. The parking ramp will be staffed most hours of the day and evening. Card access to the ramp will be possible overnight. The Planning Department does not believe that 24-hour operation of the Parcel E parking ramp should be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

- 2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

Provided the proper level of screening is incorporated into the north and east facades of the ramp, the Planning Department believes that twenty-four hour operation of the parking ramp should not be injurious to the use and enjoyment of other property in the vicinity and should not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

For further analysis, please see the “Building and Placement” section of Site Plan Review, below.

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**3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The applicant is working closely with the Public Works Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

**4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

The applicant has been and will continue to work closely with the Public Works Department and the Planning Department to ensure that all pedestrian, bicycle, and vehicular traffic in and around the public right-of-way will be handled in the best way possible

For further analysis, please see the “Access and Circulation” section of Site Plan Review, below.

**5. Is consistent with the applicable policies of the comprehensive plan.**

See analysis in Section 5 of the Conditional Use Permit for the parking facility, above.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located.**

With the approval of the 2 Conditional Use Permits, Floor Area Ratio Variance, Major Site Plan Review, and Preliminary Plat (as well as the Travel Demand Management Plan) this development will meet the requirements of the C3A zoning district.

**RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the Conditional Use Permit application **to allow 24-hour operations at the** for the City of Minneapolis Parcel E parking facility located in the northeast portion of Parcel E at the intersection of South 2<sup>nd</sup> Street and the Ninth Avenue South right-of-way of subject to the following conditions:

1. Review and Approval of the Travel Demand Management Plan by Planning staff and Public Works staff

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**SITE PLAN REVIEW**

**Findings as Required by the Minneapolis Zoning Code:**

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

**Section A: Conformance with Chapter 530 of Zoning Code**

**BUILDING PLACEMENT AND FAÇADE**

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.
- Entrances and windows:
  - Residential uses shall be subject to section 530.110 (b) (1).
  - Nonresidential uses shall be subject to section 530.110 (b) (2).
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by

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**commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.**

**PLANNING DEPARTMENT RESPONSE**

*Conceptual Design Framework:* The overall intent of the conceptual design for the new Guthrie complex is to create modern forms that are inspired by the industrial-age and are in keeping with turn-of-the-century mills found nearby. The combination of metal forms, perforated stainless steel, and layered glass are intended to capture the various qualities of light at different times of the day and the year. However, rather than simply reflecting these qualities, the design of the combination of form and materials of the building complex is intended to create an etheric quality of buildings that glows from within, thus accentuating the surrounding atmospheric conditions.

*Siting, scale, and massing:*

- The placement of the building reinforces the intended street walls on South 2<sup>nd</sup> Street and the extension to Ninth Avenue South. The placement of the building maximizes natural surveillance and visibility, and facilitates pedestrian access and circulation.
- The first floor building wall on each street is located not more than eight (8) feet from the front lot lines.
- The principal pedestrian entrance faces South 2<sup>nd</sup> Street.
- The parking ramp was specifically designed so that all floors will be flat and horizontal (not sloped) on the South 2<sup>nd</sup> Street and Ninth Avenue South elevations of the building. The south façade of the building will reveal sloping floors. These elevations will eventually be screened by the liner development intended on the Washington Avenue side of Parcel E.

*Building Materials, fenestration and aesthetic treatments:*

- The building is clad primarily in metal panels and screens that are intended to match and/or complement the exterior materials of the elevations of the theater building. Specifically; the scene shop is clad in the same metal panels as the theater building. The stainless steel metal cladding of the exterior is deliberately intended to “act” differently in at different times of the day and night and throughout the different seasons of the year. The scene shop will not have etched murals similar to those proposed for the theater block.
- The street-facing sides of the parking ramp will be clad in stainless steel screening that matches the metal panels and is intended to catch the light in a fashion similar to the solid metal wall panels used on the theater and the scene shop. The drawings seem to indicate that there is no wall other than the screening between the sidewalk on 9<sup>th</sup> Avenue South and the loading dock area. A solid wall should block views between the loading area and the sidewalk. A metal screen or surface treatment can be added to the exterior of this wall to retain continuity with the screening used in other portions of the ramp façade.

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- These materials used in the north and east elevations wrap around the corners for twelve to twenty feet of the building so that a change in elevation materials is not apparent to passersby.
- The exterior materials and appearance of the rear and side walls of the building will not be similar to, or compatible with the front of the building. In order to allow non-mechanical air circulation through the ramp, the south and west sides will be considerably more open. These elevations will eventually be screened by the liner development intended on the Washington Avenue and Chicago Avenue sides of Parcel E.
- Importantly, there are two “gaps” (one in the east elevation and one in the north elevation) where screening materials are not currently specified. These sections are at the upper levels of the ramp on floors that are set back from the street wall. The project architect has argued that these elevations and, more importantly, the cars in these elevations will not be visible from the sidewalk. Planning staff has insisted several times that these facades are screened to hide concrete panels and parked cars from those who might view the theater from the sidewalk in front of the ramp, the sidewalk or plaza across the street from the ramp, from within the theater building or from within any nearby residential or commercial building.
- Currently the building façade does not contain windows at the ground level or first floor. Public Works staff has agreed that in lieu of windows, the ground floor facades on South 2<sup>nd</sup> Street and on Ninth Avenue South will be revised to include vitrines or display cases that showcase various aspects of the Guthrie’s history, mission, or shows as a means to help activate the streetlife on the sidewalks in front of the parking ramp. Given the length of these otherwise blank elevations, at least ten (10) total vitrines/cases will need to be integrated into these building walls. In any case, at least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be designed with windows, including display windows, that create visual interest as per section 530.110 (b) (2).
- Because all loading operation and trash facilities must be screened, a door must be added to the opening to the loading facility on Parcel E. This door cannot open outward over the sidewalk.

**ACCESS AND CIRCULATION**

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**



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**PLANNING DEPARTMENT RESPONSE**

- On the south side of South 2<sup>nd</sup> Street, there is an eight foot wide (8'-0") sidewalk with an eight foot wide (8'-0") boulevard planted with street trees. Because the Public Works Department intends to include metered street parking on the south side of South 2<sup>nd</sup> Street, it will be necessary to decrease the width of the planting bed by one or two feet in order to allow for passengers to get in and out of parked cars. This paving for this space should match the adjacent sidewalks. The pedestrian-clear zone of the sidewalk between the front wall of the parking ramp and the southern edge of the planting bed shall be no less eight feet wide (8'-0").
- On the west side of Ninth Avenue South, there is a twenty foot wide (20'-0") sidewalk with street trees [planted in 5'x5' planters (flush with the sidewalk)]. The Public Works Department intends to include some metered street parking on the west side of Ninth Avenue South. Given the requirement to eliminate one curb cut for the loading dock on parcel E (see below), it may be possible to create a planting bed similar to the one of South 2<sup>nd</sup> Street in the northern portion of this block, north of the relocated loading entrance.
- Two entrances/curb cuts to the loading dock on Parcel E is excessive. Two angled vehicular drives across the sidewalk are considered detrimental to the best possible pedestrian function on the sidewalks east of the ramp and scene shop. Given the number and kind of anticipated loading at this location, a single entry to this loading dock is deemed sufficient. On new Ninth Avenue South, the northern-most curb cut and loading entrance must be eliminated.
- The triangular "bullnose" on the sidewalk between the curb cut for the northern most vehicular entrance to the parking ramp and the curb cut to the loading dock is considered highly problematic for pedestrian function and safety at locations where there will be pedestrian vehicle cross-overs. Because the northern-most entry to the loading dock is to be eliminated, the column grid for the structure can be rationalized, allowing the south entry to the loading dock to be moved north; thus creating better pedestrian conditions on the sidewalk east of the ramp. The entry to the loading dock must be moved as far north as possible (up to 18'-0") to sufficiently resolve this condition.
- Because all loading operation and trash facilities must be screened, a door must be added to the opening to the loading facility on the loading dock on Parcel E. This door cannot open outward over the sidewalk.
- The number of lanes for access/egress to and from the ramp on South 2<sup>nd</sup> Street is excessive for the operational scenario sought by the applicant and the City's Public Works Department. This access/egress must be narrowed to accommodate two reversible in-out lanes at this location. The eastern most lane (neck to the elevator/stair tower) must be eliminated.

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- Ground floor pedestrian sequences through the parking ramp to and from the pedestrian entrance/exit on South 2<sup>nd</sup> Street are confusing and potentially dangerous. The leftover space from the elimination of a lane of vehicular access/egress to and from South 2<sup>nd</sup> Street must be used to create a more rational pedestrian path/sequence; this may require reworking the currently convoluted vehicular paths immediately south of the elevator/stair tower.
- Pedestrian/vehicular conflict is especially problematic on the stretch of South 2<sup>nd</sup> Street between Chicago and the mid-block crosswalk. In order to create better sightlines and therefore a higher level of pedestrian safety, a neckdown of South 2<sup>nd</sup> Street must be accomplished by adding two bump-outs, one on either side of South 2<sup>nd</sup> Street at the mid-block crosswalk.

**LANDSCAPING AND SCREENING**

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).**
- **Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
  - **A decorative fence.**
  - **A masonry wall.**
  - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).**
- **Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).**
- **The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.**
- **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**
- **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous**

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concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.

- All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.

#### **PLANNING DEPARTMENT RESPONSE**

- Given the highly urban context of this site, landscaping is limited to street trees along South 2<sup>nd</sup> Street and along Ninth Avenue South. Submitted plans show six (6) street trees planted along the length of the building on South 2<sup>nd</sup> Street and two (2) street trees on Ninth Avenue South. Given the modifications required to the loading facility in the northeast corner of the site, it should be possible to add street trees on the Ninth Avenue side of the ramp/scene shop building.
- Given the highly urban context of this site, a building setback at the entrances to the parking and loading facility is not recommended. However, relocation of the entrance to the loading dock may make it possible to create a planting bed similar to the one of South 2<sup>nd</sup> Street in the northern portion of this block, north of the relocated loading entrance.

#### **ADDITIONAL STANDARDS**

- Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.
- Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.
- Site plans shall minimize the blocking of views of important elements of the city.
- Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.
- Buildings shall be located and arranged to minimize the generation of wind currents at ground level.
- Site plans shall include crime prevention design elements as specified in section 530.260.

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- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

**PLANNING DEPARTMENT RESPONSE**

- A lighting plan was not submitted as part of this development. A lighting plan that meets compliance of comply with the requirements of Chapter 535 and Chapter 541 must be submitted prior to sign-off of final plans.
- Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto (intended) residential properties on the east side of Ninth Avenue South.
- As noted above, the final design of the theater complex (including the ramp and scene shop) does the development does not block views of important elements within the city. It is considered an asset by Planning Staff that in most cases, the design of the complex enhances existing views and creates new views of important elements in the City.
- Site plans include crime prevention design elements.
- This site is located outside of, but adjacent to an historic district. This project is has been reviewed several times by the Heritage Preservation Commission (HPC) (see “Previous Actions” on pages 2 and 3 of this report). The public hearing for the HPC Certificate of Appropriateness for the theater block is scheduled for May 13, 2003.

**Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan**

**ZONING CODE**

With the approval of the 2 Conditional Use Permits, Floor Area Ratio Variance, Major Site Plan Review, and Preliminary Plat (as well as the Travel Demand Management Plan) this development will meet the requirements of the C3A zoning district.

**DOWNTOWN 2010 PLAN**

See analysis in Section 5 of the Conditional Use Permit for the parking facility, above.

**Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council**

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In August of 2001, the *Update to the Historic Mills District Plan* was adopted by the City Planning Commission and subsequently by the full City Council as small area plan to be used in conjunction with Downtown 2010. The site for the new Guthrie Theatre is included within the geographic boundaries defined in the *Update to the Historic Mills District Plan*. The *Update Plan* was initiated in large part because the City Council and the Guthrie Theatre proposed the construction of a new theater facility on the Central Riverfront. As such, the *Update to the Historic Mills District Plan* was written in anticipation of the construction of the Guthrie Theatre of the Central Riverfront .

The “Design Goals” section of the *Update to the Historic Mills District Master Plan* is attached to this staff report as Appendix I.

For further analysis on compliance with the “Design Goals” section of the *Update to the Historic Mills District Master Plan*, please see the Site Plan Review, above.

#### **ALTERNATIVE COMPLIANCE**

**The Planning Commission may approve alternatives to any major site plan review requirement upon finding any of the following:**

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

#### **PLANNING DEPARTMENT RESPONSE**

Alternative compliance is not warranted for this site.

#### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for [for the City of Minneapolis Parcel E parking facility](#) |

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located in the northeast portion of Parcel E at the intersection of South 2<sup>nd</sup> Street and the Ninth Avenue South right-of-way of subject to the following conditions:

~~an indoor theater at 802, 812, and 900 South 2<sup>nd</sup> Street subject to the following conditions:~~

1. A neckdown of South 2<sup>nd</sup> Street is accomplished by adding two bump-outs, one on either side of South 2<sup>nd</sup> Street at the mid-block crosswalk.
2. Review and Approval of the Travel Demand Management Plan by Planning staff and Public Works staff
3. Elimination of the northern-most curb cut and loading entrance on new Ninth Avenue South. Relocation of the existing southern entry to the loading dock is moved as far north as possible (up to 18'-0") to sufficiently resolve the condition of the existing triangular "bullnose."
4. A door is added to the opening to the loading facility.
5. The vehicular access/egress to and from the ramp on South 2<sup>nd</sup> Street are narrowed to accommodate two reversible in-out lanes at this location.
6. Ground floor pedestrian sequences through the parking ramp to and from the pedestrian entrance/exit on South 2<sup>nd</sup> Street are revised to create a more rational pedestrian path/sequence.
7. A least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be designed with windows, including display windows, or vitrines that create visual interest as per section 530.110 (b) (2). Given the length of these otherwise blank elevations, at least ten (10) total vitrines/cases will need to be integrated into these building walls.
8. Two "gaps" (one in the east elevation and one in the north elevation) where screening materials are not currently specified are screened to hide concrete panels and parked cars from those who might view the theater from the sidewalk in front of the ramp, the sidewalk or plaza across the street from the ramp, from within the theater building or from within any nearby residential or commercial buildings.
9. The street walls of the parking ramp are clad in stainless steel screening that provides the proper level of screening so that headlights from vehicles in the ramp do not adversely affect nearby properties that are presently located in the district or are intended within the district as per the *Update to the Historic Mils District Master Plan*.
10. A solid wall must block views between the loading area and the sidewalk. A metal screen or surface treatment can be added to the exterior of this wall to retain continuity with the screening used on other portions of the ramp façade.
11. The Planning Department shall approve the final site and elevation plans.
12. The landscaping plan shall be reviewed and approved by the City's Landscaping Consultant. The Planning Department shall approve the landscape plans.
13. The Planning Department shall approve the final lighting plan.
14. The applicant shall obtain an encroachment permit from the Public Works Department for any work done in the right-of-way.
15. All site improvements shall be completed by May 7, 2006, or the permit may be revoked for non-compliance.

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**VARIANCE - to increase the maximum allowed floor area ratio from 2.7 to 5.0**

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**Floor Area Ratio:** The applicant is seeking a variance to increase the maximum allowed floor area ratio from 2.7 to 5.0.

Until Atelier Jean Nouvel (JNA) proposed the schematic design for the Theater complex in February 2002, it was assumed that the Guthrie Theater complex would stretch along the West River Road over a site that was three city blocks long. Instead JNA's proposed a complex that is much more compact and much more "urban" in feel and character that what many had earlier expected.

The design proposed by JNA in February 2002 called for the construction of two separate parking facilities:

- A 400-stall underground parking ramp located below the Theater Block. This facility was to have been built by the Guthrie Theater and operated by the City of Minneapolis.
- A 600 stall above-ground structured parking ramp built and operated by the City of Minneapolis on the northeast portion of Parcel E (which incorporates an air rights development parcel for the Guthrie scene shop).

As design of the project proceeded and further research was done, it was determined that the footprint of the Parcel E lot specified for the 600 car ramp would actually accommodate parking for all 1000 cars in a single ramp. This structure would accommodate 377 cars below grade and 625 cars above-grade. Combining the two intended facilities into one has three important benefits:

- Constructing one ramp instead of two allows for up front savings in the design and construction budgets for both the Guthrie and the City
- Operating one ramp instead of two makes more sense for the City.
- Eliminating the intended ramp under the theater complex (and integrating those spaces into the Parcel E ramp) allows for better traffic management in and around the theater.
- Because of the theater site's topography and underlying geological conditions, eliminating the intended ramp under the theater complex (and integrating those spaces into the Parcel E ramp) allowed the Guthrie's architects to create a better connection between the ground floor of the theater and the intended Chicago Avenue Plaza.

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The proposed parking facility will be screened on two sides by the eventual liner development on the west and south sides of the block. Furthermore, the Guthrie agreed to integrate the design for the north and east facades of the ramp with the theater building across South 2<sup>nd</sup> Street, the height and scale of the ramp can be more easily integrated into the existing and intended fabric of the surrounding neighborhood.

**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

*Floor Area Ratio:* The need to accommodate all of the required parking spaces within the garage as well as the emergency egress stairwells are unique conditions of this parcel of land.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

*Floor Area Ratio:* Staff believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance. The Minneapolis Public Works Department has been integral to the design of this facility. In addition, this variance will not have any implications on adjacent properties or residents of the neighborhood.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

*Floor Area Ratio:* Granting the variance will not increase activity in the public streets and further than if two separate parking ramps had been built across the street from one another. Eliminating the intended ramp under the theater complex (and integrating those spaces into the Parcel E ramp) allows for better traffic management in and around the theater. The proposed variance should not substantially increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

**RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the findings above and **approve** the variance to increase the maximum allowed floor area ratio from 2.7 to 5.0.



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**PRELIMINARY PLAT APPLICATION**

**Required Findings:**

- 1. The subdivision is in conformance with the land subdivision regulations including the requirements of section 598.80 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

**DESIGN REQUIREMENTS**

**General Standards:**

All created lots have frontage on public streets. The re-plating of the block does not result in more than one zoning classification on a single zoning lot. No nonconforming structures or uses result from this plat.

**Streets:**

As part of this plat two existing streets are proposed to be extended. Proposed South 9<sup>th</sup> Avenue and proposed Chicago Avenue South meet the requirements of Table 598-1 Street, Alley and Sidewalk Design for Plats and Registered Land Surveys. The City Engineer will need to review and approve the final street design prior to the final plat being approved by the City.

**NONRESIDENTIAL DEVELOPMENT DESIGN**

The re-platting of the block results in the creation of a block that does not meet the minimum length standards as required by the land subdivision ordinance. The land subdivision ordinance does, however, allow the approval of variances to any of the design requirements of the ordinance. The variance may be granted if the planning commission makes the following findings.

- 1. There are special circumstances or conditions affecting the specific property such that strict application of the provisions of this chapter would deprive the applicant of the reasonable use of land.**

When this area of the city was originally platted, 9<sup>th</sup> Avenue South and Chicago Avenue South were platted but never built. The resulting length of the block, had the streets been built, would have been less than the six hundred feet which is the minimum length for a block created per today's land subdivision regulations. The re-platting of this block follows the lines of the originally platting for the area. To create a block that is at least 600 feet in length, it would

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require that the two proposed streets not be constructed, as is the current situation. This would not be a favorable solution for the Planning Department or the Public Works Department.

**2. The granting of the variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is located.**

Granting this variance will not be detrimental to other property in the area. In fact, the platting of this block should be beneficial to other property in the area as two public streets will be created which will provide for more efficient pedestrian and vehicular circulation in the area.

Lot dimensions exceed the minimum dimensions in the zoning ordinance.

## **ZONING CODE**

With the approval of the conditional use permit for a parking facility, a conditional use permit to allow 24-hour operations, a variance to increase the maximum allowed floor area ratio from 2.7 to 5.0, major site plan review and a preliminary plat application this project will be in conformance with the applicable regulations of the zoning code.

## **THE MINNEAPOLIS PLAN**

See analysis in Section 5 of the Conditional Use Permit for a parking facility, above.

**2. The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.**

A one-thousand and two (1,002) stall parking structure built by the Guthrie Theater for the City of Minneapolis and operated by the City of Minneapolis is proposed on the northeast portion of the block. This structure would accommodate 377 cars below grade and 625 cars above-grade. The proposed parking ramp is designed to incorporate an air rights development parcel for the Guthrie scene shop, (under separate application #BZZ-1092 Guthrie Theater). It is also designed so that parking floors are parallel to the ground plane on both street elevations. Parking ramp will be designed to allow for future incorporation of underground parking for liner development parcels along Chicago Avenue and Washington Avenue.

In August of 2001, the *Update to the Historic Mills District Plan* was adopted by the City Planning Commission and subsequently by the full City Council as small area plan to be used in conjunction with Downtown 2010. The site for the new Guthrie Theatre is included within the geographic boundaries

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defined in the *Update to the Historic Mills District Plan*. The *Update Plan* was initiated in large part because the City Council and the Guthrie Theatre proposed the construction of a new theater facility on the Central Riverfront.

Until Atelier Jean Nouvel (JNA) proposed the schematic design for the Theater complex in February 2002, it was assumed that the complex would stretch along the West River Road over a site that was three city blocks long. Instead JNA's proposed a complex that is much more compact and much more "urban" in feel and character that what many had earlier expected. Because the proposed design straddles South 2<sup>nd</sup> Street, it more closely ties the project to the existing and intended fabric of Downtown. Likewise, the proposed design offered a better opportunity to integrate the functional and aesthetic design of the Parcel E parking ramp.

The Parcel E parking ramp is intended as a shared-use facility that will serve the employees and patrons of the Guthrie Theater as well as the residents and patrons of both existing and intended residential, commercial, and cultural uses within the Mills District. Planning staff believes that this parking ramp will help to anchor the creation of a new mixed-use neighborhood of the Central Riverfront in a large swath of former industrial lands that have for many years been underutilized as surface parking lots. The Guthrie Theater project is at the very heart of the creation of a new cultural/recreational, residential, commercial neighborhood in this corner of Downtown Minneapolis. As such the project will encourage and strengthen the existing development in the neighborhood. More importantly, it will serve as a major catalyst for new development in both the Historic Mills District and in Downtown East more generally.

The Planning Department does not believe that a parking ramp should be injurious to the use and enjoyment of other properties in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

**3. All land intended for building sites can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard.**

The site is flat and does not present the above hazards.

**4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration**

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The parcels created by this plat present no foreseeable difficulties for this development. No significant alteration to the land appears necessary.

**5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The stormwater drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the city engineer. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.**

Public Works will review and approve drainage and sanitary system plans before issuance of building permits.

**Recommendation of the Minneapolis City Planning Department:**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the application for a preliminary plat for the Mill Quarter Addition located on the block bounded by Washington Avenue South, proposed 9<sup>th</sup> Avenue South, 2<sup>nd</sup> Street South and proposed Chicago Avenue South.

1. The City Engineer shall review and approve the final street design prior to the final plat being approved by the City.